

December 1, 2023

Via ECF

Hon. Ona T. Wang
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Almonte et al. v. The City of New York et al.*, 22-cv-2903

Dear Judge Wang:

In the month of November, the parties conducted the depositions of non-party witness officer Claudio Paula, Plaintiff Genaro Almonte, and have scheduled the deposition of Plaintiff Xiomara Almonte to go forward on December 7, 2023.

To date, Defendants are still attempting to obtain Plaintiff Pedro Almonte's medical records from Harlem Hospital. Despite numerous requests and previously being advised in November that the records were to be mailed, Defendants have not received the records yet and have contacted the hospital and service provider on several occasions to further request the records. It is my hope, based on my conversations with the provider, that these records are received over the next couple of days. In addition, Plaintiff Pedro Almonte's FDNY records, including the ambulance call report, have been requested and Defendants hope to receive these documents shortly. Upon receipt of these records, Defendants will be able to go forward with Plaintiff Pedro Almonte's deposition who, upon information and belief, is currently in ICE custody.

In addition, Defendants anticipate responding to Plaintiff's motion to amend the pleadings by the current December 8, 2023 deadline¹. Accordingly, the parties are respectfully requesting a sixty (60) day extension, from December 1, 2023 to January 30, 2024, to complete discovery.

Respectfully,

/s/

Sara Wolkensdorfer
Rickner, PLLC
Attorneys for Plaintiffs

¹ Defendants requested, on consent, an extension of time to file Defendants' Opposition to Plaintiff's motion to amend the pleadings to December 8, 2023, which has yet to be addressed by the Court granted. *ECF no. 46*.

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